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Attorneys for Defendant,
MASIMO CORPORATION

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

MICHAEL RUHE and VICENTE
CATALA,

Plaintiffs,

v.

MASIMO CORPORATION, and DOES 1
to 100, inclusive,

Defendants.

Civil Action No.
SACV 11-00734 CJC (MLGx)
**MASIMO'S NOTICE OF
MOTION AND MOTION TO
VACATE FINAL
ARBITRATION AWARD AND
DISMISS ACTION**

Date: March 31, 2014
Time: 1:30 p.m.
Place: Courtroom 9B

Honorable Cormac J. Carney

PLEASE TAKE NOTICE, pursuant to the Court's February 4, 2014 Order, Dkt. No. 40, that on March 31, 2014, at 1:30 p.m. in Courtroom 9B, before the Honorable Cormac J. Carney, or as soon as possible thereafter as counsel may be heard by the above-entitled Court, located at United States District Court for the Central District of California, 411 West Fourth Street, Santa Ana, California, Defendant Masimo Corporation will and hereby does move this Court to vacate the final arbitration award in J.A.M.S. Arbitration No. 1200045317, and to dismiss this action.

This Motion is made following the conference of counsel conducted pursuant to Local Rule 7-3, which took place on January 31, 2014. *See* Dkt. No. 37-3 ¶ 3.

This Motion is based on this Notice of Motion and Motion; the Memorandum of Points and Authorities in Support Thereof; the Declaration of Benjamin J. Everton; the Declaration of Alan I. Rothenberg; and the [Proposed] Order; all pleadings and papers on file in this action; and such other information and materials as may be presented to the Court at or before the time of the hearing on this Motion.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: March 3, 2014

By: /s/ Joseph R. Re

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